

**NORTH SOMERSET COUNCIL
FOOD SAFETY TEAM
SERVICE PLAN
2024**

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1. Service Aims and Objectives

1.1 Introduction

This service plan sets out how North Somerset Council intends to provide a food safety service that meets the requirement of the Food Standards Agency (FSA) Framework Agreement. It covers the functions carried out by authorised food and safety officers in the Commercial Food and Safety team in relation to food safety activities carried out under the Food Safety Act 1990, the Food Safety and Hygiene (England) Regulations 2013 and relevant regulations made under the European Communities Act 1992 and or the European Union (Withdrawal) Act 2018.

1.2 Aims and Objectives

We aim to ensure that all food and drink that is produced, stored, distributed, handled or consumed in North Somerset is safe. This will be achieved by:

- Programmed interventions, prioritising visits by potential risk to health
- Targeted interventions, including alternative enforcement strategies for lower risk businesses
- Ensuring all non-compliant businesses are reviewed regularly to improve standards
- Investigation of customer complaints
- Investigation of notifiable diseases, following up allegations of food business involvement and preventing secondary infections and limiting community spread
- Taking food samples guided by local intelligence, and as part of national sampling initiatives in partnership with UK Health Security Agency (UKHSA)
- Maintaining a high quality professional workforce able to carry out this work to meet local authority and FSA targets.

In addition and where resources permit:

- Supporting the FSA and UKHSA national campaigns by promoting health messages via media channels
- Working in primary authority partnerships in conjunction with Monmouthshire Council
- Support new businesses in achieving compliance and good hygiene ratings by providing a chargeable consultancy service

1.3 Links to Corporate Aims and Objectives

In 2020, North Somerset Council published its corporate strategy for 2020 to 2024. Its vision is for an open, fairer, greener North Somerset and focuses on three broad aims, each with a set of priorities.

- A thriving and sustainable place
- A council which empowers and cares about people
- An open and enabling organisation.

Alongside our commitments we have a number of key measures that we also monitor quarterly. A key performance indicator is the number of food interventions completed measured against our intervention programme. This plan demonstrates how we aim to improve people's lives by ensuring our food businesses are compliant with food safety legislation and supports the local economy.

2 Background Information

2.1 Profile of North Somerset Council

North Somerset is a unitary authority established on 1st April 1996, based upon an old geographical area of Woodspring District Council and is approximately 145 square miles and has a population of 216,700 (2021 Census). The authority covers an area from Weston-super-Mare in the South to the Avon Gorge in the North, and is bounded by the sea to the west and stretches east to Blagdon. Adjoining authority boundaries are Bath and North East Somerset to the East, Bristol City Council to the North and Somerset Council to the south.

In addition to Weston-super-Mare , North Somerset contains the towns of Clevedon, Nailsea and Portishead. The remainder of the district comprises villages and countryside.

The authority has a broad industrial base, which includes:

- Well-established food manufacturing, including a manufacturer of spices and coatings for national and international distribution. We also supply health certification for products manufactured for export. In 2023 we provided over 1,000 health certificates.
- 2 major dairies manufacturing cheese, yoghurt and other dairy products for export.
- Food manufacturers and distributors of a wide range of foods (cider, cooked meats and catering butchers).
- Restaurants, hotels and food retailing.
- A large number of residential and nursing homes.
- Bristol Airport and Royal Portbury Dock.
- Food Works is based in Weston-super-Mare which is a dynamic food innovation centre.

There is a good transport infrastructure from the M5 which runs north to south, A38 and A370, Bristol Airport and an intercity rail network serving several locations. Further expansion of the railway network to the north of the district is planned to enhance road and rail links.

2.2 Organisation Structure

North Somerset Council derives its powers from the Local Government Act 1972 and subsequent legislation. As a unitary authority , North Somerset Council has the powers and functions of both a non-metropolitan county and a district council combined. North Somerset Council is elected every four years, electing a total of 50

councillors in 20 single member wards and 15 two-member wards. At the last two elections no party held a majority. Executive member councillors are responsible for a portfolio area of work and hold powers to make decisions, if delegated, on policy matters.

2.3 Profile of the Service

The food safety service is provided by officers of North Somerset Council and operates within the Authority's documented food safety policies and procedures. The resource within the team has not been adequate for a number of years to achieve the food safety intervention programme and its related activities. The authority has therefore contracted in an authorised and competent food safety resource to support the existing food safety compliment. The contracted resource has been allocated the majority of the lower risk inspections with the higher risk profile businesses remaining within team. Other matters retained within team include:

- Registration of food business establishments.
- Monitoring of the premises database to identify where businesses have incorrectly registered in the past or if registration is no longer appropriate.
- All official controls relating to food safety, e.g.: interventions, inspections, audits and sampling. Programmed visits are carried out according to risk priority in accordance with the inspection frequencies outlined in the Food Law Code of Practice. Premises currently rated A-C, new businesses and all non-compliant businesses are given priority.
- The application of a hygiene rating according to compliance standards found during an unannounced visit. Businesses are provided with the appropriate rating sticker and advice on how to improve if necessary. Their ratings are uploaded to the FSA's national ratings website periodically.
- Inspection of low risk food businesses (E rated) are largely through the use of alternative inspection strategies and telephone questionnaires. The responses will trigger a visit where activity suggests a higher risk than was previously assessed at the previous audit. All telephone audits are carried out by officers who have the necessary competencies to assess the risk. The majority of the category E inspections for this year have been assigned to the contracted out inspectors.
- Routine matters (labelling issues for example) relating to food standards are covered by food safety inspectors during the course of the routine intervention with complex or breaches of the law referred to the Trading Standards Service for follow up.
- Paid for advice to new or expanding businesses, where resource permits.
- Review of applications for events taking place in the local area and advising on food safety matters as part of the authority's safety advisory group.
- Undertaking site visits at events and inspecting food vendors as necessary. Issues are followed up/referred to the home authority where appropriate.
- Acting as Primary Authority for a major hotel chain and plans to take on a coffee shop chain.

- Identifying and assessing premises that require approval for specific food products and ensuring that they are issued with conditional and full approval status as necessary.
- Investigation of complaints concerning food, food establishments and food handling practices.
- Investigation of cases of suspected and confirmed food and water borne disease and case manageable to prevent spread of disease.
- All health and safety matters noted during a food intervention by employing a 'hazard spotting' approach.
- Acting as a 'responsible authority' under the licensing act for all liquor licence applications and triggering reviews of licence or supporting other responsible agencies where necessary.
- Multi-agency liaison with other bodies, both internally and externally, for example with the Police and with Immigration colleagues.
- Acting as Port Health officer at Bristol airport and at Royal Portbury Dock.
- The team is also responsible for commercial health and safety and whilst there is a 0.8 officer dedicated to this role at times the food officers are required to investigate health and safety matters which takes resource allocated to the food safety intervention programme. As an example, the team has successfully prosecuted a business where a young worker lost fingers in a mincing machine and another case where a young child sustained a head injury after being injured using an inflatable play device in a pub garden. The team are also in year 2 of a health and safety fatality investigation.

2.4 Demands on the Service

The Council's food and safety service is delivered by the Food and Commercial Safety Team which sits within the regulatory arm of the Public Health and Regulatory Services directorate. The office base is currently at Castlewood, Clevedon although there are plans to move the whole of the Council office accommodation to the Town Hall in Weston-super-Mare. Since the pandemic work styles have changed and all team members are classed as 'flexible' workers and work from different locations where they 'hot desk'. A lot of the administrative type work is now competed at home.

North Somerset Council operate a flexi time scheme and officers can work from the hours of 07:30 to 19:30 hours.

There is no formalised out of hours service for food and safety, however, the team manager and the Public Health Consultant who oversees the service can be contacted in emergencies.

The establishment risk profile at 1 April 2023 was as follows:

| Risk Category | Number establishments |
|----------------------|------------------------------|
| A | 8 |
| B | 59 |
| C | 318 |
| D | 640 |
| E | 639 |
| Outside regime | 21 |
| Unrated | 180 |
| Approved Premises | 7 |

Other work streams which impact the service are:

- Event work – Major events at Ashton Court such as the Balloon Fiesta and Love Saves the Day music festival.
- Chair of the North Somerset Safety Advisory Group
- Service Demands (861 last year)

The establishment profile of business types at 1 April 2023 was as follows:

| Type of Business | Number |
|---------------------------|---------------|
| Retail food business | 562 |
| Approved cold store | 6 |
| School/academies | 81 |
| Playgroup/nurseries | 74 |
| Nursing/residential homes | 181 |
| Café/restaurants | 284 |
| Caterers | 73 |
| Club premises | 69 |
| Hotel/inn | 55 |
| Pubs | 145 |
| Takeaways | 135 |
| Miscellaneous | 161 |
| Total | 1826 |

2.5 Regulation Policy

North Somerset Council Food and Commercial Safety service adopt the enforcement concordat which states that enforcement must be fair, consistent and equitable. The regulatory services enforcement policy was drafted in line with the Regulators Code which came into force in April 2014 and it will be reviewed in April 2024. The policy provides transparency and consistency of enforcement activity. The team work with those businesses that are non-compliant to help them improve standards.

North Somerset Council also operate a 'paid for' re-inspection regime so that businesses can improve their rating before their next intervention is due.

3. Service Delivery

3.1 Interventions at Food Establishments

Food Enforcement

Authorised officers take on the full range of official control intervention options based on risk. In the majority of cases the contraventions are minor and the food business operator is addressed with a letter or inspection report outlining matters to achieve full compliance. Where, in line with our enforcement policy, we witness significant contraventions or experience repeatedly poor performance we will use formal action ranging from service of legal notice, to prosecution and even closure of the business using our prohibition powers.

Food Hygiene Ratings

We use the food law code of practice to risk rate a business following an official intervention. Ratings range from zero (for the poorest performers) to five (for those exhibiting excellent compliance with food law). The risk ratings from the inspections are used to inform the public of the overall level of compliance. The risk ratings used are:

- Compliance with food hygiene standards
- Compliance with structural requirements
- Confidence in management

The officer provides the business with a food hygiene rating sticker either at the time of the visit or in the post afterwards. If the visit is carried out by a contracted officer the sticker is left with the business at the end of the inspection. If the business is broadly compliant or above then the inspector will leave a report of visit. All businesses that are classed as non-compliant receive a letter as well as the report of visit and this is drafted by a team member using the contractors notes and by dialogue with them. We use the FSA branded letters which detail the right to reply, the appeals procedure and how to apply for a paid for re rate. All appeals are determined in line with the FSA brand standard by one of the lead officers in the team. Paid for re-rates are also carried out in line with the FSA's brand standard. North Somerset Council has a policy that a different inspector will conduct this re-rate from the inspector who originally rated the business. The risk rating results are uploaded to the FSA periodically and usually every two weeks.

Food Safety Inspection Programme

The regulatory services data base is maintained on a system called Civica. We are currently a significantly way through a project to convert to the cloud based version of Civica which is referred to as CX.

Businesses are rated from category A to E in line with the food law code of practice. The intervention frequency is as follows:

Category A – should be visited every 6 months

Category B – visited every year

Category C- visited every 18 months

Category D – visited every 2 years

Category E – visited every 3 years, or subject to an alternative enforcement strategy.

The number of programmed food hygiene inspections due on 1st April 2023/24 are as follows:

Category A – 6

Category B – 56

Category C – 236

Category D – 428

Category E – 210.

Following the pandemic there was a significant back log of food inspections which were due but with a re-focus of resource within the team and by utilising COVID monies to pay for contracted resource the food inspection programme was fully recovered by the end of 2022. North Somerset Council were subject to a FSA audit which measured local authority's performance in line with the FSA recovery road map which was published following the pandemic. North Somerset Council were chosen as part of this audit to represent a local authority who had achieved and performed better than the road map dictated. The results of this audit were written up by the FSA and published on the smarter communications hub.

Our current policy is that all newly registered businesses receive a visit. The total number of businesses awaiting inspection on 1st April 2023 was 180. The businesses were triaged and all are assigned to officers for follow up. Interrogation of the unrated list shows that many businesses are either not yet operating (but have registered) or are very low risk (home based cake makers or sweet suppliers).

Telephone contact is made to businesses which operate from home and if there is no response the business will be removed from the database after 3 successive attempts. We will write (usually email) to the business to advise that we have closed it.

3.2 Primary Authority Scheme

Businesses or trade organisations can form a partnership with a local authority to assist with consistent enforcement. The guidance and advice the local authority carries out must be taken into consideration by officers in other authorities when they are carrying out visits and note non-compliances.

North Somerset currently has one primary authority partnership with Marriot Hotel Group and are in early discussions regarding a coffee shop chain. The partnership agreement with Marriot Hotel group is in conjunction with our Welsh colleagues in Monmouthshire Council.

3.3 Advice to Business

The authority has a positive attitude to offer advice to food businesses and we offer a paid for service where a dedicated officer will conduct a site visit and offer business support tailored to the business. The advice can be provided for any aspect of a food business from the more basic requests through to complex matters. We send out business 'start up' emails and we also direct people to self-serve via our website.

If we receive a request for support which is not within the team expertise we direct the business to the team who can provide this support. For example food standards enquiries are directed to our Trading Standards Team and licensing enquires to our Licensing team.

3.4 Food Sampling

Microbiological Food Samples

We have a documented food safety sampling policy and procedure and we also draw up a sampling programme for the year ahead. We carry out this annually determined programme of sampling based on the following criteria:

- High risk foods manufactured in the district
- Sampling from approved premises
- Consumer complaints
- Emerging threats
- Statutory sampling requirements, such as under the Private Water Regulations.
- National and regional sampling co-ordinated by UKHSA

The team leader and the lead officer for food safety sit on the regional UKHSA liaison group.

Analysis and or examination of food is undertaken by the following accredited laboratories.

UK Health Security Agency

Porton Food, Water and Environmental Laboratory

Salisbury

Wiltshire

SP4 0JQ

And,

ALS Environmental

Torrington Avenue

Coventry

CV4 9GU

All food safety officers in the team are authorised to take food samples and all are assigned sampling duties in the routine programme. In 2022 we took 158 samples. The programme for this year shows an indicative number of 103 planned samples and we have a reactive national study on cooked meats on the programme for later in the year.

3.5 Control and Investigation of Outbreaks and Food Related Infectious Disease

The purpose of investigating infectious disease outbreaks or incidents of food related disease is to identify and control the source of any outbreak, prevent secondary spread via infected food handlers or other carriers of food related disease. We investigate food related notifiable infectious diseases, in accordance with standard operating procedures agreed between UKHSA's south west health protection team and environmental health departments across Avon, Gloucestershire and Wiltshire.

Cases are notified to the team each day by the UKHSA in their role as 'Proper Officer'. The response to notifications depends on whether it is a single case notification or an outbreak. The type of infection also dictates the action taken. Patients suffering from the more common type of infections such as Campylobacter, Giardia and Cryptosporidium are notified in writing and asked to complete a trawling questionnaire, if necessary, which is sent back to UKHSA colleagues. For the more serious infections (or those where the case may need to be excluded) or outbreaks cases are contacted by telephone and the trawling questionnaire is completed at that time. Advice is also given to the patient on how to reduce the transmission of infection so as to limit spread.

Investigation of outbreaks are conducted in line with our policy and if extra resource is required officers from the trading standards team will assist during the initial stages of investigation where food histories are important.

The team contributes to the North Somerset health protection assurance group, providing assurances to the Director of Public Health about health protection measures, safeguards and incident management within the district.

Table illustrating infectious disease notifications by year:

| | 2021 | 2022 | 2023 |
|----------------------|-------------|-------------|-------------|
| Campylobacter | 255 | 250 | 261 |
| Salmonella | 16 | 24 | 42 |
| E Coli | 3 | 5 | 3 |
| Shigella | 1 | 2 | 1 |

| | | | |
|------------------------|----|----|----|
| Giardia | 19 | 22 | 39 |
| Cryptosporidium | 7 | 12 | 30 |

3.6 Food Safety Incidents

Food alerts are issued by the Food Standards Agency to relay information on national food issues to local authorities. The team are all signed up to receive these alerts, the majority of which are 'for information only'. Food alerts for action require officers to undertake various actions dependant on the issue which has been raised. This may include telephoning business, visiting or sending a bulk email to businesses. The aim of this contact is to give advice to businesses and ensure that food products which are the subject of the alert are removed from the market.

All food safety alerts are dealt with in accordance with the current Food Safety Act code of practice and our procedure covering this matter.

Changes to FSA procedures means that the majority of alerts are 'for information only' with withdrawals largely being dealt with by manufacturers or retailers. Hence the estimated resource allocation is low and due to resource constraints the only food safety alerts to be actioned and recorded will be those requiring a specific set of actions from North Somerset Council.

3.7 Liaison with other organisations

The authority is committed to ensuring that food safety enforcement is consistent with other local authorities both nationally and locally and there are a number of stakeholders involved in the operation of the services including:

- UKHSA, specifically UKHSA southwest
- The West of England food liaison group (WoEFLG)
- Heads of Service Group (for the south west)
- UKHSA Porton Down laboratory group
- The Food Standards Agency
- North Somerset health protection assurance group.
- Association of port health authorities
- NSC Licensing team
- NSC Trading Standards team

We attend all these forums where we can and the estimated resource allocation is approximately 100 hours officer time.

Estimated resource 0.1 FTE

3.8 Food Safety Promotion

The team endeavours to positively promote food hygiene and safety throughout North Somerset. In previous years we have visited and spoken with schoolchildren

and we will continue to support these requests where resource is available. This year we plan to hold a dedicated seminar for our Indian restaurant and takeaway communities focussing on topics that they have told us they'd like more support with. In recent years we have sought ways of delivering messaging via online social platforms. We have our own Facebook account and regularly promote FSA campaigns using this platform.

Estimated resource 0.1 FTE.

3.9 Imported Foods

The requirement to ensure that all imported food complies with current UK standards in relation to their inspection status, fitness and compliance with imported food controls.

The inspection of foods at Royal Portbury Dock is undertaken by colleagues in Bristol City Council port health team. This is a historical arrangement and there is a port health order in place designating the authority for this work to Bristol City Council. There are no food imports at Bristol Airport, however, arrangements are in place with an official veterinary surgeon authorised to detain food under the Trade in Animals and Related Products Regulations 2011.

During routine interventions the monitoring of imported foods is achieved by:

- Inspection of foodstuffs as part of routine food premises inspection programme
- By the investigation of all imported food complaints received
- By the investigation of all complaints relating to illegally imported foods which are stored, distributed, or sold within the district
- By feeding into the UKHSA nationally led sampling initiatives focussing on imported foods.

4. Resources

4.1 Budget Allocation

The budget for the service is funded by capital. The budget over the last few years has remained constant and for 23/24 is £403,808. Contractors to assist with completion of the food safety intervention programme have been employed for the past 8 years. This is additional funding from reserves which has been assigned to the team. For the year 23/24 an additional £49,000 was allocated for contractor use. A bid has been made in the medium term financial plan (MTFP) to secure funding for an additional 1.0 FTE food safety officer and for dedicated monies to engage contractors to pick up some of the lower risk inspections.

4.2 Staffing Allocation

The food and safety team comprises 4.5 FTE officers plus 1.0 FTE team manager and a 0.6 FTE Trading Standards officer. The Trading Standards Officer predominately picks up the health and safety workstreams in the team such as

accident investigations, petroleum licensing, product safety etc. This allows the food officers to focus all of their resource on food safety work streams. Occasionally when there is a major health and safety investigation ongoing resource has to be taken from officers whose primary role is to enforce food safety.

4.3 Staff Development and Continuing Professional Development

The Food Standard's Agency Food Law Code of Practice sets out requirements for all food officers to maintain their competency if they are authorised to carry out the full range of official controls and law enforcement activities. All food officers must undertake at least 20 hours of food related CPD per year, with at least 10 hours being core food related training and the remaining hours on other professional matters. This is made up by either attendance on paid courses, or training provided for free by the FSA and the UKHSA and other partners. Occasionally cascade training will be provided to other members of the team if an officer has attended a course on a specialist area. Officers must ensure they maintain the CPD certificates and a log of all training that they attend. Officer files are set up in the SharePoint site for such purposes and the CPD requirements and training needs are formally identified during annual appraisals and during regular one to one meetings between the offices and their manager.

Food Officer Details

| Officer Name | Qualification | Level of authorisation | Level of authorisation enforcement |
|------------------|---------------|--------------------------|------------------------------------|
| Jane Day | EHORB | Full | Full |
| Peter Hardman | EHORB | Full | Full |
| Ray Fox | EHORB | Full | Full |
| Annabel Hall | EHORB | Full | Full |
| Rachelle Bateman | EHORB | Full | Full |
| Norman Wint | EHORB | Full except food seizure | Full except food seizure |

5. Quality Assessment

5.1 Quality Assessment and Internal Monitoring

The Food Safety Service is required to report on its performance and corporate KPI's are set quarterly. The status of the performance is RAG rated with mitigation actions listed if targets are not met.

Quantitative assessment of outputs is measured by interrogation of the Civica management information system. All officers are responsible for recording their own work in the case management system and reports are run regularly by the team manager for team meeting purposes and also to provide data to the Food Standards Agency. In previous years the service has been required to submit a LAEMS annual

return detailing all enforcement activity. However, since the pandemic, the FSA have requested data via a 'temperature check' survey at quarterly intervals. The team manager also peer reviews team members and the work of the contractors. The team also participate in the FSA consistency exercises and review the findings as a team.

6. Review

6.1 Review Against the Service Plan

Although this plan has not been reviewed for some years due to resource constraints it is the intention that the plan will receive an annual review now that it has been significantly updated.

6.2 Variation from the Service Plan

Where any deviation from the service plan is identified the team manager will arrange for the appropriate corrective action to be taken. This could include:

- Redeploying resources from other areas of work which are assessed as being lower risk of lower priority,
- Recognising that the target or objective is being achieved through other, but equally as effective, means of service delivery,
- Securing additional resources to achieve the target by procurement from other competent service providers.

6.3 Areas for Improvement

An industry recognised ratio of 1 officer per 500 food businesses is usually accepted as reflecting an adequate resource ratio. The food businesses on the establishment varying but usually sit at just beneath 1800. Whilst we currently have 4.5 FTE in the team it must be recognised that the officers undertake other non-official control work and the team is also responsible for commercial food and safety workstreams as well as infectious disease work, advice visits and sampling requirements under the private water supply regulations. Workstreams in these other areas can have a significant impact on service delivery of official controls.

In 2022/23 a senior officer requested a flexible work pattern and a reduction of hours. This was accommodated and the hours were allocated to the 18.5 hour post to bring it up to 29.6 hours. There has been a slight loss of senior officer expertise but the hours were not lost completely to the team.

In the MTFP bid the team manager bid for an additional FTE food officer and dedicated monies to utilise contractors for future years rather than having to request the funding year on year.

Risk

There remains the risk that because of reactive work streams and unforeseen circumstances (officers leaving, sickness etc) that the allocated resource will be

inadequate to deliver the required inspection intervention programme. The quarterly monitoring of the KPI's is therefore important so that issues are flagged to senior officers and elected members at the earliest opportunity.

7. Complaints and Appeals Procedure

- The Council's complaints procedure will be followed for complaints concerning the officer.
- Hygiene Improvement Notices have a statutory appeals procedure, and food business operators are entitled to appeal against any refusal of the Council to lift a Hygiene Emergency Prohibition Order.
- A business has the right of appeal to the lead food officer with regard to the rating they received under the Food Hygiene Rating Scheme. If not satisfied with the result of this appeal they may seek a judicial review.